

TERRY NIXON,  
  
Plaintiff,  
  
v.  
  
KINGDOM CARGO, LLC and  
JUAN MANUEAL DIAZ,  
  
Defendants.

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Case No.:  
  
  
  
  
  
  
  
**JURY TRIAL DEMANDED**

## INTRODUCTION

5. Upon information and belief, Plaintiff Terry Nixon is a citizen of Wisconsin.
6. Defendant Juan Manuel Diaz is a citizen of Texas.
7. Defendant Kingdom Cargo, LLC is a Texas limited liability corporation with its principal place of business in the State of Texas. Defendant states that no member of the LLC is a citizen of Missouri. See Corporate Interest Disclosure Statement.

**THE AMOUNT IN CONTROVERSY HAS BEEN SATISFIED**

8. The amount in controversy exceeds \$75,000.00 exclusive of interest and costs. Because this is a personal injury action where Plaintiff claims damages for multiple bodily injuries including injuries to his brain, head, including closed orbital fracture, lacerations and face injuries, future medical, as well as property damage to Plaintiff's trailer, Defendant believes the amount in controversy shall exceed the minimum jurisdictional amount, whereas the amount in controversy requirement is satisfied. Further, Plaintiff will not agree to sign a stipulation that the damages will not exceed \$75,000.00.

**NOTICE OF REMOVAL IS TIMELY**

9. Less than thirty (30) days have elapsed since receipt of said initial pleadings by Defendant, Kingdom Cargo, LLC.
10. Defendant files herewith a copy of all process, pleadings, and order served upon it in this action. See *Exhibit A*.

WHEREFORE, Defendant, Kingdom Cargo, LLC prays the Court to accept its Notice for Removal, and make and enter such orders as may be necessary to effect the complete removal of this action from the Circuit Court of Newton County, State of Missouri, to the United States District Court for the Western District of Missouri, and that further proceedings be discontinued

in the State Court and all future proceedings be held in this Court, as the laws in such case provide.

Respectfully submitted,

ROBERTS PERRYMAN, P.C.

/s/ Ted L. Perryman

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*Attorneys for Defendant Kingdom Cargo, LLC*

### **CERTIFICATE OF SERVICE**

The undersigned hereby certifies that the foregoing has been filed upon the Court's electronic filing system this 1st day of March, 2019 to:

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/s/ Ted L. Perryman